

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, .  
 .  
Plaintiff, .  
 . Case No. 21-mj-09067  
vs. .  
 . Newark, New Jersey  
STEVEN BROOKS, . March 19, 2021  
 .  
Defendant. .  
 .

TRANSCRIPT OF BAIL HEARING  
BEFORE THE HONORABLE MARK FALK  
UNITED STATES CHIEF MAGISTRATE JUDGE

APPEARANCES (the parties appeared via Zoom videoconference):

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1 (Commencement of proceedings)

2

3 THE COURT OFFICER: United States of America v.  
4 Steven Brooks, Docket 21-9067.

5 Judge Falk, you're on the record.

6 THE COURT: All right. Good morning.

7 May I have the appearances of counsel, please.

8 MR. LEVIN: On behalf of the United States,  
9 Benjamin Levin, L-e-v-i-n.

10 Good morning, Judge.

11 THE COURT: Good morning.

12 MR. ZEGAS: Alan Zegas for Steven Brooks. I have a  
13 little laryngitis. I apologize.

14 THE COURT: Yeah, great. Great.

15 Lorraine, can we have the -- mute because it's too  
16 loud. I can't hear Mr. Zegas.

17 Thank you. And, again, if that has to change,  
18 that's fine.

19 So all right. You know, the defendant had appeared  
20 before another judge for initial appearance and had consented  
21 to detention. And then when I was on duty, there was a  
22 request for bail, a bail application. The Government is  
23 seeking detention. And it sort of came up at a time when I  
24 had limited time, so I did ask for some papers, and both  
25 sides submitted essentially letter briefs, very carefully

1 analyzing the situation, which I have read and am prepared to  
2 deal with.

3 So the Government is seeking detention in this  
4 case.

5 Mr. Levin, I'll hear from you, if you wish to be  
6 heard.

7 MR. LEVIN: Yes, Judge. Thank you.

8 Judge, the Government is asking for detention in  
9 this matter. It's our position that the defendant poses a  
10 great risk to the community, especially children. And his  
11 proposed bail package is insufficient to ensure the safety of  
12 the public.

13 The defendant has been a school teacher in New  
14 Jersey for over a decade. He's also worked in other  
15 capacities with children. And in terms of the matter before  
16 the Court and the current charges, the defendant's hard drive  
17 in question contained dozens of pornographic videos and  
18 images of minors, but what was even worse was that it also  
19 contained videos of active recruitment of minors to send him  
20 sexually explicit materials.

21 Again, as the Government noted in our letter brief,  
22 when some of the minors tried to either cut off communication  
23 or stop sending illicit materials to the defendant, the  
24 defendant, through the fake online persona that he created,  
25 sent the minors threatening messages to -- in an attempt to

1 convince them to continue to send him pornographic materials,  
2 threatened to essentially embarrass these children in public  
3 if they wouldn't apply with his demands.

4 And so in terms of the Government's -- in terms of  
5 those factors, he's a danger to the community. We also  
6 believe the strength of the case is overwhelming here, and  
7 the high likely penalties associated with the charges also  
8 makes the defendant a flight risk. So it's our position that  
9 he's both a danger to the community and a risk of flight.

10 We're asking that the Court should deny the request  
11 for pretrial release under any conditions. We'll note  
12 specifically, Judge, in terms of a strength of the case, a  
13 company in Washington notified the FBI at the end of January  
14 that they observed what they thought was child pornography,  
15 and other related items on the defendant's hard drive. And  
16 in terms of possession, one of the elements of any potential  
17 trial that may happen in this case, the hard drive in  
18 question is undisputably the defendant's hard drive. There's  
19 no dispute. There cannot be a dispute that it's his hard  
20 drive. And so the question would be the content of it, which  
21 also, in our view, is not in dispute, based on the images and  
22 the videos.

23 As the complaint and the facts in our letter brief  
24 note, the defendant sent an email to that company in  
25 California stating in substance and in part, that he had

1 private and sensitive information on the drive that he was  
2 concerned about other people at the company having access to.  
3 And in our view, that's consciousness of guilt. And it also  
4 goes to the defendant's knowledge of the hard drive's  
5 contents.

6 And then specifically, Judge, relating to the  
7 strength of the current charges in the complaint, the  
8 Government in this matter learned about this in late January.  
9 We moved as quickly as we possibly could after being alerted  
10 by that company in California about the possible child  
11 pornography to figure out exactly what we had here. And  
12 then, if warranted, which it was, to bring the appropriate  
13 charges.

14 We note that the speed with which the Government  
15 moved from finding out about the images and other materials  
16 on the hard drive, we note that in his bail application,  
17 because this investigation is very much ongoing. Even since  
18 the date of the filing of the complaint, the Government has  
19 identified initial minor victims pursuant to a search warrant  
20 of the hard drive and in terms of the analysis of the hard  
21 drive's contents.

22 And so, as we noted in our letter brief, again, as  
23 it goes to risk of flight and danger to the community, there  
24 are more victims here than what are even outlined in the  
25 complaint. And so any potential indictment in this matter

1 will cover additional children for which the defendant, as it  
2 would be alleged, had inappropriate contact with.

3 And so that, in turn, would increase the potential  
4 maximum exposure that the defendant would face on any -- on  
5 any sentence that he may get in this case.

6 And so what do we have here in terms of -- so,  
7 again, as to the Government's position regarding the strength  
8 of the evidence, we believe that it is overwhelmingly strong.  
9 And so that's -- and that is a critical aspect in terms of  
10 how the Court should analyze the danger to the community, but  
11 also the risk of flight.

12 So specifics, what do I mean, Judge, specifically  
13 in terms of danger to the community? Access to children is  
14 really concerning here. The defendant, as I mentioned, was  
15 an elementary school teacher, and he helped run a youth  
16 soccer program. His résumé indicates prior experience at an  
17 elementary school, at another school, work at a day camp.

18 So, simply put, the defendant has been around  
19 hundreds of children during the course of his career. Minor  
20 Victim 1 in the complaint is a high school student in New  
21 Jersey that the defendant knew, which, again, goes towards  
22 his knowledge that the illicit material of that minor on the  
23 hard drive was, indeed, images of a minor. It's extremely  
24 concerning, because, as specifically relating to Minor  
25 Victim 1, as outlined in our letter brief, there was



1 essentially a threat made by the defendant to Minor Victim 1  
2 when Minor Victim 1 decided to block the defendant on  
3 Instagram, telling Minor Victim 1 that if -- if Minor  
4 Victim 1 didn't continue to send illicit materials, that the  
5 defendant would essentially spread a falsehood about Minor  
6 Victim 1 to other people in the school; specifically, the  
7 defendant reached out to Minor Victim 1 on Minor Victim 1's  
8 school email account, Judge. And so we find that behavior to  
9 be extremely concerning.

10           Also that Minor Victim 1 was affected in a very  
11 negative way, based on the defendant's conduct emotionally,  
12 which I think would go without saying, but also in terms of  
13 academically, which also, you know, is important in terms of  
14 where Minor Victim 1 is.

15           Additionally, regarding danger to the community,  
16 Minor Victim 5 is a current high school student who knew the  
17 defendant. Minor Victim 6, current high school student in  
18 New Jersey. Minor victims 7 and 8 are also high school  
19 students in New Jersey.

20           And so some of these, as I've mentioned, some of  
21 these minors have had dealings with the defendant, "dealings"  
22 meaning he knows who they are. He knows how old they are.  
23 And he knows that they are children, Judge.

24           And so, to us, you know, protecting children,  
25 there's nothing that's more important in terms of a societal

1 concern and the -- specifically what we believe to be the  
2 defendant's danger to the community.

3           We also believe that the other minor victims that  
4 are described in the complaint are high school students who  
5 don't live in New Jersey, so we believe not only is the  
6 defendant a threat to the community locally, but he's a  
7 threat in other states as well, Judge. And so as we noted in  
8 the letter brief, we estimate that there's in the ballpark of  
9 about approximately 30 additional individuals who appear to  
10 be under age, based upon images and other materials on the  
11 hard drive, who the Government -- as I said, this is an  
12 ongoing investigation, and we are confirming the ages and  
13 identities of these individuals even as we speak. And I  
14 imagine a week from now, two weeks from now, the Government  
15 will have identified additional minor victims.

16           And so, we believe that, based on the defendant's  
17 access to children, based on his conduct, based on the  
18 threatening nature that was evidenced and laid out in the  
19 letter brief, that the defendant is a danger to the  
20 community, Judge.

21           And I will just note specifically relating to the  
22 proposed bail package, I understand that defendant's family,  
23 his parents have offered to house him; essentially to  
24 password-protect their devices. They even, in the latest  
25 filing by defense counsel, have essentially what -- how the

1 Government reads it, have offered to get rid of any  
2 electronic devices in their house or computers. That would  
3 be good, if the Court were inclined to potentially release  
4 him, but there's simply -- cannot be a guarantee here that  
5 the defendant will not get his hands on an electronic device  
6 from someone. There just -- there can't be. Without being  
7 monitored through continued detention, there's simply no way  
8 to ensure the safety of the community as it related to this  
9 conduct.

10 And, again, the Government pointed out in our  
11 letter brief, that in terms of danger to the community, it  
12 doesn't necessarily mean somebody who is causing physical  
13 danger in the sense of there's no allegation here to date  
14 that the defendant had any kind of intercourse or in-person  
15 relationship with these children. This isn't a case  
16 involving a firearm or some other kind of case where the  
17 Court may find a danger to the community.

18 But we will note, as we pointed out in our letter  
19 brief, there have been instances before in other cases where  
20 even nonphysical harm has been found to be a danger to the  
21 community. And so the -- that case was especially  
22 illustrative of the point that even in a scenario like this  
23 where the harm here, Judge, has been done over the Internet,  
24 over social media applications, and social media platforms is  
25 real harm and is a real danger.

1           And so we really hope the Court will keep that in  
2 mind, because of the circumstances of the facts here.

3           And so we don't -- we believe that what's also  
4 critically important in the Court's analysis regarding danger  
5 is that this is a presumption case, Judge. This is a  
6 presumption of detention here. The defendant must rebut it.  
7 We simply do not believe that his bail package has come  
8 anywhere close to adequately rebutting the presumption of  
9 detention here.

10           And so we believe we've met our burden to show that  
11 he's a danger to the community. And I'll just note before I  
12 conclude, regarding risk of flight, and the Government  
13 outlined a few different scenarios in our letter brief  
14 regarding why we believe he is a risk of flight, and I'll  
15 just note them on the record, the important parts. Count 1,  
16 Judge, in the complaint, carries a mandatory minimum sentence  
17 of 15 years in prison, a maximum potential sentence of 30  
18 years in prison. Count 3 carries a mandatory minimum of five  
19 years in prison and a potential maximum sentence of 20 years  
20 in prison. Those are tremendously high numbers, Judge. That  
21 would be an incentive for anyone to flee, quite frankly.

22           And so, here, the defendant, if he is released,  
23 like the factual scenarios laid out in our letter brief, he  
24 would potentially have the means to flee, if he decided that  
25 was something he wanted to do. And so I think that's

1 something the Court should consider.

2           We understand he has no criminal record, and, of  
3 course, better that than to have a criminal record. We  
4 recognize that. We understand that. The Government doesn't  
5 reflexively ask for detention in every case. We wouldn't  
6 even potentially argue that a defendant with no record would  
7 be a flight risk, except in this case, Judge, we think that  
8 somebody who has no interaction with the criminal justice  
9 system might be even more of a flight risk because of the  
10 fact that this is such a strong case with such high potential  
11 penalties, that the defendant, if he's released, we  
12 understand the package is proposing that he wear an ankle  
13 bracelet, but, again, we cited in our letter brief that an  
14 ankle bracelet is not a be-all/end-all. It's a good tool to  
15 use to have someone's location, but those ankle bracelets can  
16 be cut.

17           And we believe, again, that by a preponderance of  
18 the evidence, we've demonstrated that the defendant would be  
19 a risk of flight if he's released. The proposed package that  
20 his attorney has sent to Pretrial and to the Court, in our  
21 view, is insufficient, and we concur, Judge, with Pretrial  
22 Services, who is also recommending detention.

23           And so, again, because this is a presumption case,  
24 we don't believe the defendant has adequately rebutted that  
25 presumption. We concur with Pretrial Services. And because

1 he is a danger to the community and a flight risk, we ask  
2 that you detain him -- order him detained pending the outcome  
3 of this case.

4 THE COURT: Thank you.

5 Mr. Zegas, would you like to be heard?

6 MR. ZEGAS: I would appreciate that, Your Honor.

7 THE COURT: Sure.

8 MR. ZEGAS: Let me note at the outset that the  
9 defendant objects to firstly, everything that was just said  
10 by the U.S. attorney. Under the Bail Reform Act, the defense  
11 is permitted specifically to make proffers, but there is no  
12 correlative right for the Government to do so. And that's  
13 just what Your Honor had heard here when references were made  
14 to children, they said by and to children, acts taken. That  
15 would be hearsay. We have no means of cross-examining what  
16 was said. But the Bail Reform Act specifically provides that  
17 we do have a right of cross-examination and proffers render  
18 that meaningless. This is not a case where an indictment has  
19 been returned and a grand jury has made a finding of probable  
20 cause. So the State wants to contend, as it has -- the  
21 Government wants to contend, as it has, I would submit that  
22 they must produce witnesses that are subject to examination  
23 by the defense for their reliability, ability to relate  
24 details and narrate. And it's not been done.

25 This particular defendant has an absolute clean

1 record, and I would note that there's some things that were  
2 said in the Pretrial Services report which need correction,  
3 because they're not accurate. For example, Pretrial Services  
4 says that the defendant has resided at 140 -- Avenue since  
5 2014, but he actually has resided there since 2012.

6 It also references that his last trip abroad was to  
7 Saint Thomas in 2011 -- there was actually 2007.

8 And then I would note that with respect to his  
9 family ties to California, he has a sister there. And  
10 Pretrial Services report states that she's been there since  
11 2012. But Steven has never visited her, as the report  
12 suggests.

13 He has suffered from Tourette's Syndrome, and he  
14 sought out a therapist, which would prescribed the drug  
15 Risperdal, which was a dangerous drug. And he experienced  
16 side effects for one to two years which are apparently common  
17 to issues with the drug. And he recovered some money as a  
18 result a lawsuit instituted by J -- against J & J. And that  
19 is part of what is seen in his checking account.

20 I'd also note that to the extent that he has money  
21 in his savings or checking accounts, he would be willing to  
22 put that into trust so that there -- not have access to it  
23 and could not use it for flight, as the Government seems to  
24 be suggesting he might be encouraged to do.

25 The defendant, we would propose, that more than

1 sufficient means exist to protect the -- against the risk of  
2 flight and the safety of the community. And what we would  
3 suggest is that Steven be released into the custody of his  
4 parents, Mr. Sheldon and Mrs. Regina Brooks, and that they  
5 co-sign a bond in an amount to be determined by this Court,  
6 which they would be willing to do and Steven would be willing  
7 to do the same. So it would be a financial interest in  
8 ensuring that his parents keep him here. And I would note  
9 that Pretrial Services found that -- they met -- they were  
10 appropriate guardians --

11 And we would submit that Steven would reside in his  
12 parents' home in Livingston, subject to electronic  
13 monitoring. And as I noted, he's never been accused of a  
14 crime in his life before. That he prohibited from accessing  
15 any electronic devices or having any access to the Internet  
16 or possess any illicit materials.

17 He has an expired passport, which he would  
18 surrender.

19 And I noted Pretrial Services has conducted an  
20 investigation into the parents as third-party custodians and  
21 found they were appropriate candidates.

22 Initially, Mr. Brooks, the father, Sheldon, was  
23 said to be unwilling to remove all computers and  
24 Internet-connected devices. But initially indicated a  
25 willingness to password-protect everything. Since then, he



1 has agreed that if need be, he'll remove all computers and  
2 Internet-connected devices to the Internet from the home, so  
3 there would be nothing there that Steven could access.

4 The Pretrial Services report said they had  
5 conducted on March 10th of this year an investigation and  
6 found that Steven has no history of charges.

7 If confined to the home under the care and custody  
8 of his parents, we would suggest that Steven be isolated in  
9 the home except for medical treatment, court appearances, and  
10 conferences with counsel and that he be placed on an  
11 electronic bracelet.

12 We also submit that Mr. Brooks should be barred  
13 from communicating through any Internet service or any social  
14 network and that his father would ensure that any  
15 Internet-connected devices, even stuff outside the home,  
16 would be password-protected.

17 And Mr. Brooks, the father, and the mother and  
18 Steven would agree that there should be mandatory monitoring  
19 any electronic devices, inside the home, outside the home, no  
20 matter where. Pretrial Services could keep careful track on  
21 what he's doing.

22 We also submit that there should be a prohibition  
23 of the possession of any material depicting any form of  
24 sexually explicit conduct and that Mr. Brooks' passport be  
25 surrendered.

1 I would note that under the law, whether --  
2 determining if Mr. Brooks will pose a flight risk -- nature  
3 and circumstance of the offense charged, the weight of the  
4 evidence against the person, the history and characteristics  
5 of the person, and the nature and seriousness of the danger  
6 to any person or the community that would be posed, were  
7 Steven to be released. Factors 3 and 4 are easily satisfied  
8 by the willingness of Steven's parents to support and  
9 supervise him and to agree to a combination of restrictive  
10 conditions that would ensure that he would not be risk of  
11 flight or danger.

12 Steven spent his entire life in the state of New  
13 Jersey. He has never had any criminal convictions or  
14 arrests. And aside from family vacations taken with his  
15 family -- taken as a child, he's not traveled extensively  
16 outside the country, but for a trip to Saint Thomas in 2007  
17 with his high school basketball team.

18 As noted, his passport is current expired.

19 And though he has a sister in California, he's  
20 never visited her.

21 I would submit that all of these things safeguard  
22 against any risk that the defendant will pose a flight risk.

23 Now, with respect to the Government's contention  
24 that Steven poses a danger to the community, I would note  
25 that the offense is charged -- and as I said, I don't think

1 they've been properly raised because many facts have been  
2 raised by proffer -- there were entirely Internet-based.  
3 There's no history of evidence of Mr. Brooks attempting any  
4 type of crime in a nonvirtual space. And release of him into  
5 the parents' home, given the restrictions that would be  
6 imposed, would suggest that he is not at all a risk of  
7 flight. And his parents will ensure that his presence in the  
8 home will safeguard the interests of the community and  
9 prevent Mr. Brooks from interacting with the public at all,  
10 because he has no means of communicating under the proposal  
11 that we're making.

12           And with removal of all devices, I don't see what  
13 risk there is. You know, the Government contends that  
14 there's this enormous risk, but he doesn't -- will not have  
15 access to a means of communication. And he would need to  
16 have that in order to endanger the community in the way that  
17 the Government suggests that he would. And there's really no  
18 grounds for that -- rational grounds for that belief.

19           So I would submit that, given our proposals, which  
20 are highly detailed, which isolate Steven, which require that  
21 he be monitored, like ankle monitor and by his parents and  
22 they have no means of communication, more than satisfy any  
23 concern that he would pose a danger to the community or a  
24 risk of flight.

25           And I would ask that Your Honor set bail in an

1 amount that you believe to be sufficient to ensure the  
2 interests that the Court has, were to release him.

3 Thank you.

4 THE COURT: Thank you very much.

5 MR. ZEGAS: My pleasure.

6 THE COURT: All right. Well, I have -- not that it  
7 matters to anyone -- certainly agonized over the -- this type  
8 of case, and this decision, this request for release under  
9 18 U.S.C. 3142.

10 But after very carefully reading everything, I  
11 am -- I conclude the defendant poses a grave danger to the  
12 community, specifically to children; perhaps to others.

13 And I also believe that under the totality of the  
14 circumstances here, putting together the defendant's lack of  
15 criminal record -- usually it works the other way -- and the  
16 strength of the evidence, as set forth by the Government, and  
17 the amount of time that the defendant is facing, that there  
18 is a genuine risk of flight. When someone is -- you know, is  
19 facing those kinds of penalties -- not saying that he'll be  
20 convicted; I am not saying that that will -- you know, that  
21 those will be the penalties -- but one could argue there's  
22 not much -- there's not that much of a downside to cutting a  
23 bracelet and trying to, you know, flee. And then once doing  
24 that, if we assume that -- and I have no -- this is just  
25 assumption, the defendant has some kind of -- "perhaps" is

1 not the right word -- compulsion to be involved in these  
2 kinds of activities, could be very dangerous to the  
3 community.

4           The charges are child pornography, also recruitment  
5 of members to send sexually explicit images. Apparently, as  
6 the prosecution said that when some of the alleged victims  
7 tried to cut off communication, there were threatening  
8 messages sent to them to get more images. And in a sense --  
9 and actually in the law, this is akin in some ways to a crime  
10 of violence.

11           Two of the three charges carry a rebuttable  
12 presumption of detention. It's production of child porn,  
13 18 U.S.C. § 2251(a) and also 18 U.S.C. 3142(e)(3)(E) and (A),  
14 and in mailing the child pornography, 2252 -- and I conclude  
15 that the defendant has not adequately rebutted the  
16 presumption of detention, looking at the nature and the  
17 circumstances of the offense and the history and  
18 characteristics of the defendant.

19           The package, although substantial -- and I  
20 certainly would say that the defendant's -- and counsel --  
21 have done hard work to come up with the best package  
22 possible, but I am not satisfied that it reasonably  
23 assures -- or addresses the flight risk. And I think -- I  
24 think it would be improper not to address that.

25           And I do note that Pretrial Services, after

1 initially taking the position they want to investigate the  
2 situation, I'm going to rely to some extent on their  
3 expertise, has recommended that bail not be set in this case;  
4 the defendant be detained. It seems the allegations are  
5 strong.

6 Defendant was a school teacher and worked around  
7 minors. He may have known some of the victims. It could be  
8 that the location where he would be returning to is --  
9 there's some proximity to where some of the alleged victims  
10 are. That concerns me in a lot of different ways, even in  
11 terms of everyone's safety, because these are such a loaded  
12 issue.

13 And the Bail Reform Act focuses on flight risk and  
14 safety of the community. And the Act considers -- I think  
15 both lawyers said -- the nature of the offense, the weight of  
16 the evidence, the history and characteristics of the  
17 defendant, and the nature of the danger to the community.  
18 Obviously, the crimes charged carry statutory presumptions  
19 that suggest that no condition or combination of conditions  
20 could reasonably assure safety. The kind of crimes are  
21 charged are -- the weight of the evidence seems strong. The  
22 sheer number of the videos -- and I am not counting any of  
23 the things that Mr. Levin said that, you know, that may be  
24 discovered in the future; I'm just completely discounting  
25 that. I am not saying that won't happen, and I understand

1 it.

2 But so really what it boils down to is home  
3 confinement with his parents and password-protecting or  
4 may -- maybe now I see that, you know, eliminating the  
5 electronic devices, computers, and monitoring by the --  
6 admittedly through third-party custodians.

7 And those are sort of the standard kinds of things  
8 that might be set in a case where it was simply limited to  
9 someone downloading images on a computer.

10 But here there is more. And when I think that, you  
11 know -- and if I heard Mr. Levin correctly -- I don't know if  
12 it's true -- I mean, it seems like with mandatory minimums,  
13 if conviction, of 15 and 5, and then maximum of 30 and 20,  
14 you know, those kinds of years -- and those kinds of things  
15 are -- I don't see that that could be ignored in terms of a  
16 flight risk. And I think it's creative that Mr. Zegas talked  
17 about placing resources into a trust that might make it more  
18 difficult.

19 But without regard to how successful flight would  
20 be, I think the defendant still would have access to the  
21 sufficient resources to cut the bracelet. I am not  
22 encouraging this, but if you are facing the kind of time that  
23 we're talking about in this kind of a thing, if we assume  
24 that the defendant is inclined as some kind of compulsion --  
25 and maybe that's the wrong thing to say or use, but I'm using

1 | my judgment and experience in the world, that I don't -- one  
2 | could argue that it's not inconceivable that someone would do  
3 | that, would take a chance. I mean, they're already facing so  
4 | much time. And, you know, take off the monitoring equipment  
5 | and go back to this very difficult, very troublesome  
6 | activity.

7 |           Of course, that can be said in a lot of cases.  
8 | These are special kinds of cases. So my decision is based on  
9 | the combination of danger and risk of flight and, really --  
10 | really the combination of those together. You know, in terms  
11 | of -- electronic devices are so prolific in our society, that  
12 | maybe something could be ordered from one of those online --  
13 | like an Amazon thing or someone could, you know, drop off a  
14 | burner phone or other things could happen and -- unless the  
15 | defendant was being monitored or watched every minute of  
16 | every day.

17 |           So I don't believe that what has been offered is  
18 | enough to rebut the presumption. And I'm going to find that  
19 | the bail package proposed is insufficient.

20 |           And while I'm making that ruling, I am not  
21 | absolutely convinced, although I'm almost absolutely  
22 | convinced and strongly suspect that no condition or  
23 | combination of conditions would reasonably address risk of  
24 | flight and danger. I'm going to find that the bail package  
25 | being offered is -- proposed is insufficient, does not rebut



1 the presumption. And bail is denied.

2 If defendant and his advisors can somehow come up  
3 with a set of conditions -- and I can't imagine what they'd  
4 be and I am not an expert, and I can't -- I don't know what  
5 else, if anything, would be available -- and I am not trying  
6 to give anyone false hope, but I would be willing to consider  
7 them at that time.

8 That is my ruling.

9 Is there anything further?

10 MR. ZEGAS: No, thank you, Your Honor.

11 MR. LEVIN: No, Judge. Thank you.

12 THE COURT: All right. I wish you all a good day  
13 and good luck. Take care.

14 MR. ZEGAS: Thank you, Judge.

15 (Conclusion of proceedings)

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## Certification

I, SARA L. KERN, Transcriptionist, do hereby certify that the 25 pages contained herein constitute a full, true, and accurate transcript from the official electronic recording of the proceedings had in the above-entitled matter; that research was performed on the spelling of proper names and utilizing the information provided, but that in many cases the spellings were educated guesses; that the transcript was prepared by me or under my direction and was done to the best of my skill and ability.

I further certify that I am in no way related to any of the parties hereto nor am I in any way interested in the outcome hereof.

s/ *Sara L. Kern*

21st of April, 2021

Signature of Approved Transcriber

Date

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